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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,224	07/30/2001	Thomas J. Schall	019934-001710US	5559

20350 7590 03/24/2003

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EXAMINER	
BELYAVSKYI, MICHAEL A	
ART UNIT	PAPER NUMBER

1644

DATE MAILED: 03/24/2003

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

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Commissioner of Patents and Trademarks

1. Applicant's amendment, filed 2/03 03 (Paper No. 11), is acknowledged.

Claims 1-61 are pending.

2. Applicant's election without traverse of Group V (claims 21-38 and 44-49) now claims 21-38, 44-49 and 50-61 in Paper No. 11, filed on 2/03/03 is acknowledged.

Claims 1-20, and 39-43 have been withdrawn from further consideration by the examiner under 37 CFR 1.142(b), as being drawn to nonelected inventions.

2. Applicant's response is not fully responsive to the prior Office Action Paper No. 9, filed on 10/02/02, because of the following:

In the prior Office Action it was stated in the Section No.9 :

"If Groups V or VI are elected, applicant is required to elect a specific method of preventing or treating specific immune disorder, wherein an immune disorder selected from the group recited in claim 24.

These species are distinct because method of preventing or treating specific immune disorder, differ in etiologies and therapeutic endpoints of pathological conditions; thus each condition represents patentably distinct subject matter.

In addition, applicant is required to elect a specific method of preventing or treating specific chronic inflammatory disease, wherein specific chronic inflammatory disease selected from the group recited in claims 33 and 49.

These species are distinct because method of preventing or treating specific chronic inflammatory disease differ in etiologies and therapeutic endpoints of pathological conditions; thus each condition represents patentably distinct subject matter.

In addition, applicant is required to elect a specific method of preventing or treating specific immune disorder in patient wherein patient is suffering from a type TH1 immune response to a specific transplant graft organ selected from the group recited in claim 37.

These species are distinct because specific method of preventing or treating specific immune disorder in patient wherein patient is suffering from a type TH1 immune response to a specific transplant graft organ selected from the group recited in claim 37 differ in

etiologies and therapeutic endpoints of [REDACTED] biological conditions; thus each condition represents a patentably distinct subject matter.

3. Applicant is advised that the response to this requirement to be complete must include an election of the species as it reads on each species election set forth above in section 2 to be examined even though the requirement be traversed.

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Since the above -mention submission appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD OF (1) MONTH OR THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michail Belyavskyi whose telephone number is (703) 308- 4232. The examiner can normally be reached Monday through Friday from 9:00 AM to 5:30 PM. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

Papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center telephone number is (703) 305-3014.

Michail Belyavskyi, Ph.D.
Patent Examiner
Technology Center 1600
March 18, 2003.

PHILLIP GAMBEL
PHILLIP GAMBEL, PH.D
PRIMARY EXAMINER
TECH CENTER 1600
3/18/03